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April 18, 2022

VIA ECF

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The Honorable Gabriel W. Gorenstein
United States Magistrate Judge
U.S. District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

***Schansman et al. v. Sberbank of Russia PJSC et al.*, No. 1:19-cv-02985-ALC-GWG (S.D.N.Y.)
– Plaintiffs’ Request for Formal Briefing of Proposed Motion to Compel the Production of
Documents from Defendant VTB Bank PJSC**

Dear Judge Gorenstein:

Pursuant to Your Honor’s Individual Practice 2.A, Plaintiffs request that their proposed motion to compel the production of documents from Defendant VTB Bank PJSC (“VTB”) (ECF No. 313) be decided on the basis of formal briefing. Because VTB has taken the position that it will produce no documents in this case because of its objections under a range of Russian laws, Plaintiffs’ proposed motion addresses issues of foreign law, including bank secrecy laws and privacy laws of the Russian Federation, and explains the importance of numerous categories of documents that VTB refuses to produce (VTB has refused to meaningfully work with Plaintiffs to narrow their discovery requests, thus requiring Plaintiffs to move on numerous requests). Plaintiffs’ motion will also address VTB’s refusal to produce documents outside a narrow four-month window, and its refusal to search for or produce documents regarding transactions through VTB by individuals and entities connected to the Donetsk People’s Republic unless those individuals or entities were expressly identified by name in the Second Amended Complaint. In light of the necessity of briefing these range of issues because of VTB’s approach to discovery in this case, formal briefing is warranted.

Plaintiffs’ counsel conferred with VTB’s counsel regarding a proposed briefing schedule on April 14, 2022. However, counsel for VTB was unable during that telephone call or thereafter to provide VTB’s position regarding the proposed briefing schedule. Plaintiffs request that the Court order the following proposed briefing schedule:

April 25, 2022: Plaintiffs file memorandum of law in support of motion to compel

May 9, 2022: VTB files opposition to motion to compel

May 23, 2022: Plaintiffs file reply in support of motion to compel

Respectfully submitted,

/s/ Terri L. Mascherin

Terri L. Mascherin (admitted *pro hac vice*)

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cc: Counsel of Record (via ECF)